IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 17TH OCTOBER 2007 / 25TH ASWINA 1929

WP(C).No. 30751 of 2007(J)

PETITIONER:

MANEESHA KUMAR,
D/O.B.RENJITH KUMAR, AGED 21 YEARS,
SOUMYA, CHANDRIKA LANE, KARIKKAMURI,
COCHIN-682 011.

BY ADV. SRI.V.K.SUBRAMANIAN
SRIM.K.SASEENDRAN

RESPONDENTS:

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1. TRIBUNAL FOR LOCAL SELF GOVERNMENT INSTITUTION, THIRUVANANTHAPURAM.

2. THE CORPORATION OF KOCHI,
KOCHI-682 011 REPRESENTED BY ITS SECRETARY.

BY G.P. SRI.K.J.MUHAMMED ANZAR
BY S.C. SRI.RAMESH BABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 30751 of 2007

Dated this the 17th day of October , 2007

JUDGMENT

Heard Sri.V.K.Subramanian, the learned counsel for the petitioner, Sri.S.Ramesh Babu, the learned Standing Counsel for the respondent Corporation and Sri.K.J.Muhammed Anzar, the learned Government Pleader for the first respondent. Under Ext.P6 order the Tribunal for Local Self Government Institutions has rejected Ext.P2 appeal submitted by the petitioner against Ext.P1 order on the ground that the Tribunal has no power to condone the delay of 168 days occasioned in the matter of filing the appeal.

2. Having regard to the statutory position, the Tribunal's order cannot be faulted. However, on considering the submissions addressed at the bar, I am of the view that the present one is a fit case where delay should be condoned. Accordingly, the delay caused in the matter of preferring Ext.P2 is condoned and I direct the Tribunal to entertain Ext.P2 appeal and dispose of the same in accordance with law at the earliest and at any rate within two months of the petitioner

making available copy of this judgment. In order to enable the Tribunal to do that, I quash Ext.P6.

PIUS C. KURIAKOSE,
JUDGE.

Dpk